

U.S. Serial No. 09/179,188

KAS-125

REMARKS

The Applicants request reconsideration of the rejection.

Claims 20-21, 24, 29, 33-36, 53-59, and 65-72 are now pending.

Claims 53-59 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description and enablement requirements. Further, Claims 53-59 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for the reasons set forth on Pages 3-4 of the Office Action.

Independent Claim 53 has been amended to strengthen the recitation of the invention claimed in the rejected claims. Now, independent Claim 53 is directed more clearly to a method for purification of nucleic acids. The method includes steps of mixing together a nucleic acid-containing material, a chaotropic substance and a solid phase containing silicon oxide; washing the solid phase with a solution containing a chaotropic substance and then washing the solid phase with a solution containing acetate; and eluting the nucleic acids from the solid phase. In accordance with the amended claim, nucleic acids are eluted so that the claim is not seen to be so broad as to cover a method of washing without steps that result in the recovery of nucleic acids from a material.

U.S. Serial No. 09/179,188

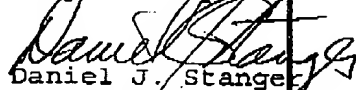
KAS-125

Further, the amendments are believed to clear up any indefiniteness as noted in the rejection under the second paragraph of §112. Therefore, the Applicants believe that each of the rejected claims is now in allowable condition.

New independent Claim 65 is also directed to a method for purification of nucleic acids, and requires mixing, washing, and eluting steps similar to those set forth in Claim 53. However, the method of Claim 65 recites separate steps for mixing the nucleic acid-containing material with an accelerator substance containing a chelotropic substance, and for contacting the mixture with a solid phase to bind nucleic acids from the mixture to the solid phase. Dependent Claims 66-72 are based on other dependent claims found to be allowable over the prior art of record.

In view of the foregoing amendments, new claims, and remarks, the Applicants request reconsideration of the rejection and allowance of the claims.

Respectfully submitted,

Daniel J. Stanger
Registration No. 32,846

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 Diagonal Road, Suite 370
Alexandria, Virginia 22314
Telephone: (703) 684-1120
Facsimile: (703) 684-1157
Date: April 13, 2005